S. HRG. 101-1242

# NOMINATION OF JAMES R. MOSELEY

## HEARING

BEFORE THE

## COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

ON

THE NOMINATION OF JAMES R. MOSELEY, OF INDIANA, TO BE ASSISTANT SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT

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JUNE 27, 1990

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# CONTENTS


Page

Hearing held on: June 27, 1990 ..... 1

NOMINATION OF JAMES R. MOSELEY

WEDNESDAY, JUNE 27, 1990

Leahy, Hon. Patrick J., a U.S. Senator from Vermont ..... 1
Lugar, Hon. Richard G., a U.S. Senator from Indiana ..... 2

CHRONOLOGICAL LIST OF WITNESSES

Moseley, James R., nominated for Assistant Secretary of Agriculture for Natural Resources and Environment ..... 3
- Biographical Information (Public) ..... 15
- Financial Data and Conflict of Interest (Public) ..... 19
- Campbell, Donald E., Acting Director, U.S. Office of Government Ethics, letter of with enclosures, dated May 25, 1990, to the Honorable Patrick J. Leahy ..... 22
  - Slagle, Larry B., Director of Personnel and Designated Agency Official, U.S. Department of Agriculture, letter of, dated May 15, 1990, to Donald E. Campbell, Esq. ..... 23
  - Letter of, dated May 15, 1990, to Donald E. Campbell, Esq. ..... 24
  - Financial Disclosure Report ..... 26
- Letters:
  - Dated June 26, 1990, to the Honorable Patrick J. Leahy ..... 33
  - Peterson, R. Max, executive vice president, International Association of Fish and Wildlife Agencies (I.A.F.W.A.), dated July 2, 1990, to the Honorable Patrick J. Leahy ..... 34

# NOMINATION OF JAMES R. MOSELEY, OF INDIANA, TO BE ASSISTANT SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT

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WEDNESDAY, JUNE 27, 1990

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
*Washington, DC.*

The committee met, pursuant to notice, at 9:05 a.m., in room SR-332, Russell Senate Office Building, Hon. Patrick J. Leahy (chairman of the committee) presiding.

Present or submitting a statement: Senators Leahy, Lugar, and Gorton.

## STATEMENT OF HON. PATRICK J. LEAHY, A U.S. SENATOR FROM VERMONT

The CHAIRMAN. We are ready to receive testimony from James Richard Moseley, the nominee for the Assistant Secretary for Natural Resources and Environment for the U.S. Department of Agriculture.

We welcome you here today. Coming from Indiana is always considered one of the best qualifications any nominee can have. You are going to be considered for the top environmental position at USDA.

Statements I have made in the past have let people know that I feel that is an extremely important job, not only for the Agriculture Department but for the rest of the Nation as well.

Just for the record, the person who holds the position has the responsibility for heading up the Department's Soil Conservation and Forestry programs and taking charge of the implementation of the provisions not only for the 1985 farm bill, but what we hope to be the 1990 farm bill.

You will confront issues such as the formulation of policy determining the future of our ancient forests and the many species of plant and animal life inhabiting them. That issue is becoming increasingly important. You can pick up a paper any day and you can see that. In fact, the more you read about it, the more you may question your own sanity in accepting this position.

In considering your confirmation we will look at your own firsthand experience as a farmer and a business manager, as well as your recognized expertise as an agricultural consultant to the Environmental Protection Agency.

Essentially you are going to be seen as a steward of our national lands. All of the people who do not get to make policy or do not have a voice in the Government look to you to be their voice in that area.

I want to yield to my good friend, Senator Lugar. Because of Senator Lugar, Indiana comes with a special aura of responsibility.

## STATEMENT OF HON. RICHARD G. LUGAR, A U.S. SENATOR FROM INDIANA

Senator LUGAR. Thank you, very much, Mr. Chairman.

I appreciate both your warm welcome for the nominee as well as your very generous comments about Indiana. I appreciate working with you again in this hearing this morning for a very, very important position in our government.

The chairman has already outlined both the gravity as well as the opportunity that is involved. I have appreciated knowing of your excellent record as a farmer in our State, but likewise, as a person deeply devoted to conservation.

The balance of these subjects will be of the essence in your success, and likewise in the success of the Department that you serve and the Government that you serve. These are very interesting and controversial times as you are well aware, having successfully served with the EPA and Mr. Reilly during the past year.

The record you have given to the committee is replete with a long list of achievements, both as a student at Purdue University, and then as you proceeded into your profession in agriculture. You have often been recognized in many significant ways. I think you will offer a strong background of confidence to farmers in this country, as well as to those interested in conservation.

So I simply will note, Mr. Chairman, without reiterating a truly remarkable record, which will be made a part of the committee record, that this nominee comes with a very strong grounding in soil conservation and likewise a reverence for the life that that implies. It is a real pleasure to welcome you to the committee today.

The CHAIRMAN. Thank you.

Will you please rise to be sworn?

[Witness sworn.]

Mr. MOSELEY. I do.

The CHAIRMAN. Please be seated.

I understand that your wife is back home because someone has to run the farm while you are here.

Mr. MOSELEY. Regrettably, the family was unable to be here today.

The CHAIRMAN. I notice that you have a large family and I am sure one you are very proud of. Of course, we will have copies of the whole hearing record so you can share it with them. I know it will be a proud time for them.

Do you have any opening statement you would like to make?

Mr. MOSELEY. Mr. Chairman, I do.

The CHAIRMAN. Go ahead, please.

## TESTIMONY OF JAMES R. MOSELEY, NOMINATED FOR ASSISTANT SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT

Mr. MOSELEY. Mr. Chairman, and Senator Lugar, distinguished members of this committee, I consider it an honor and a privilege to be nominated by President Bush to the post of Assistant Secretary of Agriculture for Natural Resources and Environment.

If confirmed, I look forward to working with you, Mr. Chairman, the Ag Committee and its staff, Members of Congress, and Secretary Yeutter in developing and implementing sound policy and programs that address our country's environmental and natural resource needs and desires.

I will take this new opportunity and challenge seriously and intend to act effectively, responsibly, and to the best of my ability always in accordance with the high standards inherent in this important position of public trust.

Today, and for the rest of our lives, the issues affecting our environment will be paramount in the minds of not only Americans, but of all people worldwide. Globally people are demonstrating a willingness to take the responsibility seriously in improving the world around them.

This affords each of us, as policymakers, the opportunity to direct this global human energy into crafting policy that assures a sustainable natural resource and environment base, and at the same time, maintain our economic prosperity.

It is implicit that mankind, in its foremost preoccupation of providing the basic necessities of life, can sometimes do things that are not fully compatible with a perfect environment and a perfect world. Fortunately we are not bound by perfection.

This does not, however, relieve us of our responsibility of taking care of the resources that are necessary to guarantee future generations the opportunity for a quality of life that is at least as good, if not better, than we enjoy today. I believe it is imperative that those of us involved in agriculture and forestry continue to search for solutions that allows us to provide for our basic survival needs and do so in a way that is environmentally benign.

I believe that one of the most important qualifications I bring to this job is the fact that I have been involved with resource conservation and use issues at a very practical level. Every day my business partners and I, on the farm, deal directly with nature. Our livelihood, as well as our lives, are solely dependent on air, land, and water. If we do not manage these resources responsibly, we cannot provide a living for our family, nor food for the rest of the world.

If there is one thing I think that I do understand it is the significance of utilizing production practices that allow the Earth to continue to bear fruit and the air and water to stay clear and clean.

This experience on a farm, and more recently as agricultural adviser at EPA, has taught me that with almost every issue there is common ground from which all of us can work and build to develop a reasonable consensus among the various interests.

If confirmed, I plan to continue to serve as one who brings people together, to help reconcile their differences on environmental and

natural resource issues. I will also strive to develop policy that allows all of us to reflect with pride on the path that we have traveled.

I look forward to working with Congress on these critical environmental and natural resource issues, and respectfully ask for your support and your confidence.

Thank you, Mr. Chairman, and Senator Lugar for this opportunity to appear before you today and I will be happy to respond to any questions you might have.

The CHAIRMAN. Thank you, very much, Mr. Moseley.

Let me ask the two questions we ask all nominees.

If you are confirmed by the Senate will you faithfully execute the laws passed by Congress regardless of any prior statements you have made or biases you may have held?

Mr. MOSELEY. Mr. Chairman, I will.

The CHAIRMAN. If your nomination is approved by the committee and the Senate, do you promise to respond to a request to appear and testify before this committee or other duly constituted committees of the Senate?

Mr. MOSELEY. Yes, sir, I will.

The CHAIRMAN. Thank you.

Now, Mr. Moseley, in the committee we have just completed work on a major water quality initiative in the conservation title of the farm bill. Financial incentives will help farmers adopt low-cost practical management measures that can reduce the potential for nonpoint source pollution.

I know that in a speech you gave on December 8 of last year, you spoke of the need for the farmers to adopt some of these same management practices.

You spoke of better application methods, reducing unnecessary pesticide use through IPM, adopting new research technology and so on. I will assume from that speech that you gave recently, you still hold those same views, is that correct?

Mr. MOSELEY. You are correct, Mr. Chairman.

The CHAIRMAN. I would hope the water quality incentives program that we have passed in the committee, if it survives in the farm bill, could be of help to you in that.

Mr. MOSELEY. I would think it would. If you look at this water quality issue, since 1985 we have come a significant way, both within the Environmental Protection Agency and the Water Quality Act; and also within the farm bill. The CRP and conservation compliance plans are ways to address water quality problems.

I think that the proposal that is in this particular farm bill is likely to survive—versions are in the House side as well as the Senate side, and I would think this concept would come out of conference and would reach the floor and would be voted on favorably there.

I think these efforts could supplement and complement the initiatives that we already have in place, in terms of water quality, and would look forward, of course, to helping to implement the legislation eventually enacted.

The CHAIRMAN. Currently, the Forest Service is moving from a timber orientation toward a multiple-use orientation. Some of the critics believe that there has been a favoring of the extractive in-

dustries to the detriment of the environment. In fact, some of their own employees agree.

These forest supervisors from regions 1, 2, 3 and 4 sent a letter to the Chief of the Forest Service and they say that many people, both internally and externally, believe the current emphasis of national forest programs does not reflect the land stewardship values embodied in our forest plans. It goes on to say that we are not being viewed as the conservation leaders, Gifford Pinchot—the agency's founder—would have us become.

Are there changes in management direction you see necessary there?

Mr. MOSELEY. Well, Mr. Chairman, I think we are in the process of changing values. The public is beginning to take a serious look at how we manage resources and the Forest Service is the recipient of a closer look at this point in time.

I guess I still have to feel like the multiple-use strategy is the best and most appropriate strategy for the Forest Service. I would support that and would believe that is the direction that the Forest Service needs to continue to move toward.

The CHAIRMAN. This is apt to be focused mostly on the ancient forests of the Pacific Northwest, where 80 percent of these forests have now been harvested. One forester said that for the next 10 years the current harvest levels are just not sustainable.

Do we need significant changes if we are going to have a sustainable timber production, protection of ancient forests and long-term economic health of that region, or can we just go as we are?

I am not sure I fully understood your first answer.

Mr. MOSELEY. I do not think we are going to continue in the direction that we are headed or that we have been going. I would guess that we would see a decline in the cut; not a significant and a substantial decline, but a decline in the cut off of the public lands sector.

Since we have a timber industry in this country that depends upon the supply of timber, I would guess that we would see a need to transfer from the public lands to the State and to the private lands.

One of the things I am personally interested in—I think the CRP program brought it up in our area of the country—is the need to enhance and improve private sector forestry.

I think that is an area where substantial growth could occur and I think it is in the public's best interest that we move in that direction.

The CHAIRMAN. I will have other questions as we go along and I will probably be calling you periodically regarding the Forest Service.

I would hope that you are going to have a Deputy Assistant Secretary who has a natural resource management background. I would strongly encourage it because the Forest Service covers 191 million acres. There are a lot of controversial matters before the Forest Service, as you know.

Mr. MOSELEY. I do understand the concern there. I can assure you that, of course, it is well known that my background is not forestry. The closest that I got to forestry is that I got a degree in hor-

ticulture and the horticulture and forestry departments were housed in the same building.

I can assure you, Mr. Chairman, that there will be someone on my close personal staff that does understand these forestry issues very well.

The CHAIRMAN. The closest background I have in forestry is a 200-acre tree farm in Vermont which, fortunately, I do not have to make a living off of. I try to keep my losses to a minimum each year. But I can assure you I have a great interest in what we do in our national forest, and you will find that there are others down at USDA who I have called periodically on this. I want you to know of my interest.

I have gone through a number of your writings and speeches in the past few years and I am impressed by them. They are very progressive in tone.

I was concerned only with some of your speeches to commodity groups. You speak of the wolf being at the door and you are concerned about that.

I have said the same thing to Secretary Yeutter about some of his speeches, specifically not to position agriculture against the environment as though there were not some shared interests between the two. There are some very great shared interests, I believe, between environmentalists and people in agriculture.

Certainly anybody who is going to have a successful farming operation which could be passed on to their sons and daughters is going to have to be concerned about the environment.

Do you think the farmers and environmentalists are at an us versus them?

Mr. MOSELEY. No. I do not think that it is us versus them. I think that there are some out there that believe that that is the situation. That particular phraseology that I used, I will confess, I thought long and hard about, do I use it or not? The point was that I wanted to get the attention of the agricultural community and I think I was successful in doing that.

The CHAIRMAN. You got mine.

Mr. MOSELEY. My interest, sir—as I think if you have read the material you would recognize in the context of the rest of it—is an attempt to try and bring together the agricultural community and the environmental community and sit down. Let us work out the potential differences that we may have and let us find the common ground, at least that we can begin to work from. I think that is one of the successes that I have had working with the Environmental Protection Agency and Bill Reilly.

Mine is a message of cooperation not conflict.

The CHAIRMAN. Keep working on that because I think if there were ever a need it is now. I think both the environmental and agricultural movements are diminished by an us versus them mentality. I think both environmentalists and farmers have an enormous amount to gain by trying to work together and by trying to see each other's point.

Mr. MOSELEY. I think it also goes to the broader issue of the environment versus production and some people sense they are incompatible and they cannot be. They have to be one and the same.

The CHAIRMAN. I appreciate that.

Mr. Lugar.

Senator LUGAR. Thank you, Mr. Chairman.

I share the chairman's interest in tree farms, although his is larger than mine, we are both learning.

The CHAIRMAN. Yours is probably more profitable.

Senator LUGAR. Likewise his thoughtful comments about the rhetoric and speeches. The delicacy of the balance has already been noted in the hearing between persons who are deeply interested in conservation, the environment, and farming. There was a great deal of mutual suspicion as to how anyone fits into this position.

So your prudence, at least in terms of public rhetoric, is of the essence, as well as, your championship of both. There has to be confidence of agricultural America in all of its phases as well as those who are especially involved in the conservation side, and the compatibility and the mutual advocacy of both.

Let me, if I may, take this occasion to delve into the financial statements that you made as a part of the record, as a part of the confirmation process to take seriously on behalf of the public precisely where nominees are coming from.

You have furnished very detailed financial statements that make this an easy trail. Let me just simply ask you about your operations. They include the Jim Moseley Farms, Incorporated, the Moseley Land Corporation, the AgRidge Farms, and Moseley Genetics Plus, Incorporated.

What is the relationship of Moseley Farms Incorporated to the Moseley Land Corporation?

Mr. MOSELEY. Jim Moseley Farms, Incorporated is an operating corporation that was established in 1975 at the same time that Moseley Land Corporation was established. Moseley Land Corporation owns the land and building assets. Jim Moseley Farms was set up at that time to own the operating assets. The land corporation was set up primarily for estate reasons. That is a family-held corporation and will always be family held.

The other business was set up primarily so that we could have employees that might work for us, then finally become partners or owners in that business. That was really the genesis of the idea of the partnerships that we have subsequently used to a great extent.

Senator LUGAR. Now, how does the AgRidge Farms come into this picture?

Mr. MOSELEY. AgRidge Farms is a general partnership between Wayne Bringman and myself. It is an operating partnership and it farms the rented land. It does not farm the land that Moseley Land Corporation owns.

Senator LUGAR. I see.

Mr. MOSELEY. It just farms the rented land.

Senator LUGAR. So those assets are separated from the operational assets on the owned land. Then is the AgRidge a partnership or a corporation?

Mr. MOSELEY. AgRidge Farms is a partnership.

Senator LUGAR. A partnership?

Mr. MOSELEY. Yes, a full partnership, 50/50 with Wayne Bringman and myself.

Senator LUGAR. Then how would you describe the Genetics situation?

Mr. MOSELEY. Genetics Plus is a business that was established a couple of years ago because we got into the breeding stock business. It buys the breeding animals from Jim Moseley Farms, Incorporated, and literally just owns them for a short period of time, but it processes those animals out for sale and handles the business portion of the breeding stock sales.

Senator LUGAR. By quick addition, at least with the land corporation, there are approximately 429 acres that are involved?

Mr. MOSELEY. That is correct.

Senator LUGAR. That is land that you own. How much additional land do you rent to farm?

Mr. MOSELEY. About 1,800 acres.

Senator LUGAR. About 1,800 more?

Mr. MOSELEY. Yes.

Senator LUGAR. So you own 400-and-some?

Mr. MOSELEY. That is correct.

Senator LUGAR. You operate 1,800 more?

Mr. MOSELEY. That is correct.

Senator LUGAR. You have listed values for these farms which are certainly consistent, as I recall, with present Indiana values. I complement you on that. Frequently people tend to understate what land is worth, referring to what they paid for it 30 or 40 years ago.

These are certainly reasonable current values, but they lead, in your own personal balance sheet, to assets of about $2,200,000 with your nearly half-shares—you have about half of each of these entities.

Now, from all of that, I know that your income in the last year was about $49,000, more or less, from Jim Moseley Farms, AgRidge, from both profit and salary.

Was that an abnormally good or bad year or is that typically how much you attain from this operation?

Mr. MOSELEY. Last year was a reasonably good year. Part of that, Senator Lugar, is because our income levels have not been very high through the years because we have been in a fairly significant growth mode. In the past couple of years we have begun to level off and it peaked out.

Once you do that—I think you know in this business—you begin to generate income. It should be noted, Senator, that the ownership is not half in each of those businesses. I own a significant portion of Jim Moseley Farms, Incorporated. My wife and I own, of course, all of Moseley Land Corporation.

It is the AgRidge Farms where there is a 50/50 ownership.

Senator LUGAR. I see. But your policy has been essentially then to take a fairly low salary and profit from each of these corporations and to plow them back into the operations?

Mr. MOSELEY. We have had good profits. We have used those profits to plow them back into the operation, to grow.

We have come to a point in time though where the business has leveled out and, of course, is generating a higher level of income because profits are not going back in.

Senator LUGAR. Now, as would be anticipated from these operations in which you are involved in 400-and-some acres of your own and 1,800 acres rented to others, the question that is asked, have

you or any partnership and so forth ever participated in Federal commodity price support programs?

And, if so, detail these for the last 5 years which you have done. Now, for several of these years the payments are fairly substantial. In 1986,[1] for example, payments of $80,359 with C behind it, I suppose that is?

Mr. MOSELEY. Cash.

Senator LUGAR. Cash and then $33,970 is payment in kind?

Mr. MOSELEY. That is correct.

Senator LUGAR. And then $75,000 more or less of each in 1987 and so forth.

Now, describe how you met the $50,000 payment limitation with payments of that size?

Mr. MOSELEY. I think, Senator, you are probably aware that the way the payment limits are calculated there are two loan rates. There is the effective loan rate that is much lower than the other loan rate upon which the limit is calculated.

I can assure you that we complied with the law. ASCS figured that and we were limited in those 2 years to $50,000.

Senator LUGAR. So you carefully stayed within the $50,000 limit?

Mr. MOSELEY. Absolutely.

We were over the limit, but we were, of course, limited. I can remember the check and it totaled $50,000. The payment you see above that, of course, is outside of the payment limitation and that is the reason for what might appear on the surface to be a discrepancy in being over the $50,000 but it is the Findley amendment that makes the difference.

Senator LUGAR. The committee has become well aware of the Findley amendment.

Mr. MOSELEY. Yes, so I understand.

Senator LUGAR. We are doing substantial arithmetic on that amendment now.

So these payments, in addition to the $50,000, come under the Findley payments that have a $250,000 limit, is that correct?

Mr. MOSELEY. That is correct, sir.

Senator LUGAR. I mention this simply because your own personal history in agriculture is illustrative of some of the problems with which we have been attempting to wrestle in the broader context of the 5-year farm bill, which are certainly interesting in terms of the operation of a successful farm, but one whose size and scope obviously leads to very substantial payments for those who participate in the program.

Why did you participate in the programs, as opposed to simply going outside the programs?

Mr. MOSELEY. At the time, Senator, I recall the price of corn was about $1.60-to-$1.80 a bushel. It was just simply a matter of competitiveness. We could not bid for the land resources that we rented unless we were inside the program and the protection of the program, because other farmers were receiving the target price protection—there was a range, of course, in those years in payments—but we started with $3.03 and then it began to drop.

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[1] See p. 20 under Financial Data and Conflict of Interest (Public).

But we could not compete with people who were getting that kind of price for their grain if we were only going to receive $1.60 or $1.70 a bushel. We literally could not bid to retain our resources. There was really no choice at the time. For a number of years we did not participate in government programs, but it just got to the point where there was literally no choice.

Senator LUGAR. I noted that you point out, in answer to one question, that you and your wife started in the farming business with a 100 percent Farmers Home Operating Loan in 1970 and added a land ownership loan in 1974. You were able to pay in full the operating loan in 1975 and the land loan in 1980.

What was your situation in 1970 when you obtained this 100 percent loan? Was that absolutely required in order for you to start from scratch, or can you give us some insight into the problem of the young farmer, say, 20 years ago?

Mr. MOSELEY. I would be delighted to, Senator.

Kathy and I had just graduated from Purdue University, both with degrees. As a matter of fact, Kathy graduated 6 months early and obtained a teaching job.

We found a farm that we wanted to rent. The problem was that we did not have any money. We had $800 equity in a car, but that did not go very far toward buying seed, fertilizer, and so forth. We could not go to a family. Neither family was in a situation where they could loan the money to us.

We did not even ask. In fact, my family was not aware that we rented a farm and borrowed the money until after it was done. I was afraid they might try to talk me out of it.

We went to Farmers Home Administration as the only place that would even consider a 100 percent loan. A bank, nor the Farm Credit System was unable at the time to accept that kind of risk. I know through the years that Farmers Home Administration has taken a fair amount of criticism, but I would encourage this committee to continue to look with some favor on that particular institution. Simply because there is a need out there for young people to have an opportunity like Kathy and I did to get started.

It was the only place that we could go.

Senator LUGAR. At this point, 20 years later, you have repaid the loan and you have no personal liabilities. However, there are corporate liabilities.

Mr. MOSELEY. That is correct.

Senator LUGAR. One loan of $500,000-and-some to a Federal entity, Federal land bank, I think it is $516,000 on a loan there still. But how did you escape this period? You came in at the right point as it turned out, in 1970. That was the right decade to begin, as opposed to trying in 1980, for example. But at the same time, you managed to go through this cycle in American agriculture in which land values increased in our State three and four times, then fell 50 percent or 60 percent.

How did you miss getting caught in the crunch? At least you have arrived at this stage without these liabilities, whereas many farmers in our State have a different predicament.

Mr. MOSELEY. Well, I would say that there are probably a variety of reasons as to why that situation has developed.

Probably the thing that I would point out as being most significant is that we did buy some land in the mid-1970's and land values went up and we did leverage that land and we played the leverage game. We used inflation to our benefit.

The only thing that I was keenly aware of is that what inflation gives, deflation can very rapidly take away. We were watching for the economic and political signals out there as to what might happen and we got a clear signal. We knew when President Reagan was elected that he had run his campaign on the issue of inflation and trying to control it. The American public, I think by the vote, gave him a mandate to do that.

I can tell you that evening when I saw that sweep across the country, it was a clear mandate in my mind that something needed to be done. If inflation was going to come under control, that meant that it was going to have some fairly serious impact on the agricultural economy.

We positioned ourselves as a result of that event in such a way as to protect ourselves. At that point in time I made a decision within the business to get as much cash as we possibly could; not take any additional risk; not buy any land. I think, as you recall at the time, interest rates were very high and the messages we were getting from that market was, do not own land, own cash.

That was the strategy we took and it worked very well. We put ourselves in a cash strong position and we were able to ride through the downfall in the 1981, 1982, and 1983 period successfully.

That is not to say, though Senator, that it was not a painful time. It was stressful for us in our business. We still felt that stress. It was not as severe as it was for some others. I lost a couple of friends of mine during that time who left agriculture. That was a painful experience for me to watch them go out of business.

We made some decisions at the right time and were able to avoid a significant downfall.

Senator LUGAR. Just one more question. I appreciate very much your personal testimony. I think it is a remarkable record. How did you get interested as avidly as you have, in the conservation side of this business?

As an operating hog and corn farmer you have been extraordinarily successful and also as an economist and businessman. But explain why you came to EPA and took this position with Mr. Reilly, at this particular time, or what were the forerunners, relating your own thoughts in this regard?

Mr. MOSELEY. I think, first of all, I come from a family that has always had a strong conservation ethic. I can remember my grandfather had a lot of influence on me. He was a strong conservationist so that I grew up in that particular environment.

Early on I was exposed to conservation technology practices, chisel plowing, for example. I was one of the first individuals, in fact, the first individual in our area to use a chisel plow and I did it from day one.

The CHAIRMAN. Let me cut in there, what is a chisel plow?

Mr. MOSELEY. A chisel plow is—how do you describe a chisel plow?

A moldboard plow turns the soil and a chisel plow just goes through and literally fractures the soil. But it leaves the residue on top.

The CHAIRMAN. OK.

Mr. MOSELEY. Of course, in 1970 when I moved in and took this farm as a college graduate people thought, well, here is the young college kid coming out and he is going to show us how to farm. I used a chisel plow, conservation tillage, and literally the day I finished planting, I pulled up along the road and as I was pulling out of the field, I had a neighbor stop and say, when are you going to plant that field of corn? I had just finished planting that field of corn. There was residue on the surface—at that time they called it "trash" and later we changed the term to "residue", it was a more positive term—there was residue on the surface. He thought that I had not planted, when, indeed, it was done.

We got involved in ridge tillage about 6 or 7 years ago and again it shows that production and environmental issues do not have to be incompatible with one another. We were trying to look for ways to improve environmental quality, and at the same time, maintain production.

I got an invitation to come and spend some time with Bill Reilly because I have had an active career. I think my record would indicate that in issues, especially in public policy issues, and also due to my interest in public service, that that was partially why the invitation came. I accepted it because I am concerned about these environmental issues. My primary concern is to try and provide some balance. To bring, what some believe is incompatible—namely production and the environment—together and prove that they are compatible. I think our record, both in production and our record in terms of public service clearly indicates that.

I thank you for the opportunity to explain all of that.

Senator LUGAR. Thank you, very much, Mr. Moseley.

The CHAIRMAN. Senator Gorton, before you ask any questions could I just interject one thing. Mr. Moseley, when you speak of messages from elections, I followed the 1980 election very closely and I was up for reelection that year, when the largest number of incumbent Senators were defeated at any time in our Nation's history.

Being a Democrat in a Republican State like Vermont, I watched with particular interest and I had a very close election in 1980. After the elections I was making some comment somewhere and somebody said, "Leahy, did you not learn anything from that election?" I said, "I knew there was a message." Here I was, an incumbent Senator tagged with a particular political ideology, and I had a very close election. I had not quite figured out the message.

So I came back to Washington and found another incumbent Senator tagged with a particular political philosophy who had had an even closer election. I went to see him and I said, "Senator Goldwater, what is the message of this election?"

I think I agree with your message on inflation. I think that people were absolutely strung out on inflation and were looking for a way to stop it.

Slade.

Senator GORTON. Mr. Moseley, did you apply for this job or did someone come and ask you whether or not you would like it?

Mr. MOSELEY. I got a call from Secretary Yeutter's office some time ago after the situation, I think it was in November, with Mr. Cason. And he asked me if I would be interested, and just to think about it. So I did. I thought about it.

Senator GORTON. The autobiography which you have given in response to Senator Lugar's questions was fascinating and admirable, but with respect to being someone from a national forest and Western State what discernible qualifications do you have, by reason of this background, for heading the Forest Service?

Mr. MOSELEY. I would respond to that question, Senator, by saying that I can't tell you that I have any deep background in forestry. As I indicated, a few minutes ago, the closest I came to forestry was when I got a horticulture degree from Purdue University and the forestry and horticulture departments were housed in the same building.

That is a legitimate concern. I shared that concern when I was given some consideration for this assignment. I think that my response though is that any individual who comes into this position is likely to be lacking in some technical area. If an individual came into this position with a strong forestry background he or she would be lacking in soil conservation experience.

Perhaps the comfort I can give to you, Senator, is that I recognize the lack of background and technical expertise in that area and I have made the commitment that there will be someone on my close and immediate staff that will have that background.

One of the things that has made our farm business successful, is that we have tried to use a team approach. Those partners that we talk about are very important to the business; they manage portions of the business. I have looked for people who have complementary skills with one another and not competitive skills.

I will, if confirmed, attempt to put together the very same kind of situation. I will use a team approach to problem solving and a team approach to policy development.

Senator GORTON. When did Secretary Yeutter call and ask if you were interested?

Mr. MOSELEY. It was—I do not recall precisely—back in January or so, and was to just give it some consideration.

Senator GORTON. What sorts of information, what activities have you engaged in, in the intervening 6 months to prepare yourself for this? I assume you have been reading voraciously and talking to as many people as you can? Can you tell me what you have done to try to get ready for the job?

Mr. MOSELEY. Well, I have to confess that I did not do a lot, except read, until my nomination was sent out of the White House. Because there were other candidates that Secretary Yeutter was considering and there were questions in my mind, at least, as to how the choice would turn out. Until my nomination was made by President Bush I did not want to be presumptive in any way.

But I did do some reading. In fact, I will suggest to you that the first things that I picked up were issues and articles about forestry because I recognized that forestry was an area of some technical

weakness. I have not traveled extensively yet to look at those issues. I look forward to being able to do that.

So I am just trying to learn as much as I can as quickly as I can. I got to the point where I was almost overwhelmed by the amount of material and the complexity of the Forest Service issues, and that is when I began to realize that no one individual is going to master everything that one needs to know about resolving these complex issues. This is going to require a team approach, which is fully compatible with the style that I like to use anyway.

Senator GORTON. Were you a friend or acquaintance of Secretary Yeutter through farm organizations or political activities before he made the call to you?

Mr. MOSELEY. The Secretary has known me at a distance for some time. You will have to ask him, sir, how many years. Of course, I have known the Secretary for some time because I have followed his career. I think he is a fantastic individual and a dynamic leader. Certainly someone who I have always looked up to. It is hard to be in agriculture and not know of the Secretary.

Senator GORTON. I mean, personally?

Mr. MOSELEY. No, absolutely, no, never.

Senator GORTON. I think that is all the questions I need to ask you. With respect to one of your answers to the chairman, in fact, when you study a little further you may find that if the Forest Service managed that portion of its lands that are primarily used for forest reproduction purposes, as anywhere nearly as efficiently as much as the private sector does we would not have much of a timber supply, rather than the other way around.

Thank you, Mr. Chairman.

Mr. MOSELEY. Well taken.

[The prepared material of Mr. Moseley follows:]

1. **Full name (include any former names used).**

   James Richard Moseley

2. **Address: List current place of residence and office address (es). List all office and home telephone numbers where you may be reached.**

   (Home) 7418 E. CoLine Rd. S., Clarks Hill, Indiana 47930 phone# 317-523-2457
   (Work) EPA, 401 M. St. S.W., Washington, D.C. phone# 202-382-7960

3. **Date and place of birth.**

   6/2/48 Peru, Indiana

4. **Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address (es).**

   Married to Kathryn Lynn Maple on 1/26/69.
   Kathy is employed by Jim Moseley Farms, Inc. with the responsibility of keeping the business records.

5. **Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.**

   Purdue University 1966-70 1973 B.S. Degree in Horticulture

6. **Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.**

   11/70 to Present -- Owner/General Manager -- Jim Moseley Farms Inc.

   4/89 to Present -- Ag. Consultant -- U.S. Environmental Protection Agency Washington D.C.

   3/68 to 11/70 -- Part Time Labor/Purdue Student -- Dale McMillin Farms Lafayette, Indiana

   9/66 to 2/68 -- Part Time Labor/Purdue Student -- Purdue University - Horticulture Dept.

   6/66 to 9/68 -- Summer Employment -- Lathe Operator -- Thrush Products, Inc. Peru, Indiana

7. **Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number an type of discharge received.**

No military service.

8. **Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.**

I was appointed as Agricultural Advisor to EPA Administrator, Bill Reilly on April 19, 1989 and served in that capacity until this time. I am classified as a fulltime "expert" and am paid on a daily rate plus per diem.

9. **Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.**

Danforth Citizenship Award
Phi Eta Sigma Academic Honorary
Alpha Zeta Agricultural Honorary
Leadership Award: Indiana Farm Management Association
Indiana Outstanding Young Farmer - 1981
National Outstanding Young Farmer - 1982
Indiana Honorary Commissioner of Agriculture
District Soil and Water Conservation Award
Sigma Gamma Delta Honorary

10. **Other Memberships: List all organizations to which you belong, excluding religious organizations.**

PRESENT AFFILIATIONS:

1989 to Present/Purdue University President's Council/Fellow Member/West Lafayette, IN

1989 to Present/Indiana Sustainable Agriculture Association/Member/Crawfordsville, IN

1989 to Present/Indiana Agriculture New Crops Committee/Member/West Lafayette, IN

1988 to Present/Dean's Agricultural Advisory Council/Purdue University/West Lafayette, IN

1985 to Present/Indiana Agricultural Leadership Program/Chairman-Board of Directors/Indianapolis, IN (This responsibility will end March 28, 1990)

**PRESENT AFFILIATIONS: continued...**

1985 to Present/Indiana Agricultural Policy Study Group/Member/West Lafayette, IN

1984 to Present/Indiana Institute of Agriculture, Food and Nutrition/Chairman, Executive Committee/Indianapolis, IN
(This responsibility will end March 28, 1990)

1983 to Present/Dana Bennett Agricultural Roundtable-National Agricultural Policy Study Group/Member/Chicago, IL

1983 to Present/Outstanding Farmers of America/Member

1983 to present/ Farm Foundation-Board of Directors/ Chicago, Ill

**PAST AFFILIATIONS:**

1989/Indiana Vocational Ag Advisory Board/Member/Indianapolis, IN

1988 to 1989/Indiana Pork Producers Council/Legislative Committee/Indianapolis, IN

1988 to 1989/National Council on Research, Extension, and Teaching/Purdue Representative Long Range Planning Committee/West Lafayette, IN

1988/State 4-H Entrepreneur Pilot Program/Steering Committee/Lafayette, IN

1988/Pioneer Hybrid International/Rural Development Series Search for Solutions/Tipton, IN

1988 to 1989/Farmer's for Bush Committee 1988/State Co-Chairman/

1988 to 1989/Indiana Animal Health Advisory Board/Member/Indianapolis, IN

1987/Selection Committee for Dean of Agriculture/Purdue University/West Lafayette, IN

1987/U.S. Environmental Protection Agency/Groundwater Task Force/Washington, DC

1987/USDA University Review Committee/Agricultural Communication/West Lafayette, IN

**PAST AFFILIATIONS: continued...**

1986 to 1989/Indiana SPF Association/Board of Directors/Indianapolis, IN

1983 to 1988/Indiana Agricultural Leadership Program/Organization, Steering and Curriculum Committee/Indianapolis, IN

1983 to 1988/Tippecanoe School Corporation/ Board of Trustees-terms Secretary and Vice-President/Lafayette, IN

1980 to 1984/Tippecanoe County Grain Producers/President, Chairman of Steering Committee/Lafayette, IN

11. **Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.**

In my agricultural career I have given several speeches relative to our farming business/management style in a variety of settings. All of these speeches were given without the use of a script or the outlines no longer exist. I have included for your review drafts of all speeches still available to the best of my knowledge. I am aware of only one speech that was published: "Production and Conservation - A Reasonable Compromise" in the proceedings of the Soybean Seed Research Conference of 1988. Testimony was given to the Senate and House Agriculture Committees in 1988 on the subject of PIK certificates and included is the testimony given. I also wrote a monthly article for Farm Journal magazine for a period of three years. I have included representative articles of my writings. During my tenure as advisor to Bill Reilly, EPA Administrator, I have given numerous speeches about my role at the Agency and my views on the agriculture/environment relationship. I have included all the hard copies I have available.

12. **Health: What is the present state of your health?**

The present state of my health is excellent.

**FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)**

1. **Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?**

   Yes, I have resigned directorships and offices in all previous organizational affiliations. I have also taken steps to replace myself as director and officer of my businesses.

2. **List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incomplete contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.**

   Because of the nature of my agricultural business I will retain ownership through the tenure of my appointment, however I will restrict my management role.
   Though unknown at this time, I would expect these businesses to retain passive income which would be a part of my net worth upon completion of my appointment.

3. **Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)**

   Yes, I have four agricultural businesses in which I have ownership, all located in Montgomery and Tippecanoe county, Indiana. Jim Moseley Farms, Inc. is responsible for the production of approximately 10,000 hogs per year, 8500 of which are market animals and 1500 which are sold as breeding stock(this is the current projection for 1990 sales.) Moseley Genetics Plus, Inc. is responsible for the actual sale and delivery of the before mentioned breeding animals. Moseley Land Corporation owns 429 acres in Tippecanoe county, 395 which are tillable. Moseley Land also owns 3.77 acres in Montgomery county on which there are additional swine production facilities. AgRidge Farms is a general partnership which rents 1812 tillable acres in Montgomery and Tippecanoe county, Indiana.

4. **Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments on loans received or forfeited by crop and farm, etc. during the past five years.)**

Yes.

| Year | Entity | Payment Type: Deficiency | Loan | CRP | Reserve |
|---|---|---|---|---|---|
| 1985 | JMF,Inc. | $23,500C | $ 60,422.25 | - | - |
| 1986 | JMF,Inc. | 80,359C<br>33,970P | 229,601.47 | - | $6,279.18 |
| 1987 | AgRidge | 75,428C<br>75,428P | 360,300.26 | $8,605C<br>2,745P | 6,279.18 |
| 1988 | AgRidge | 33,865C<br>33,865P | -0- | 2,752P | 6,279.18 |
| 1989 | AgRidge | 69,344C<br>11,834P | -0- | 2,746P | -0- |
| 1990 | AgRidge | 43,035C | -0- | -0- | 3,624.14 |

C=Cash payment P=Payment in kind certificate

5. **Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Farmers Home Administration? (If yes, give details of any such loan activity during the past five years.)**

Yes, My wife and I started in the farming business with a 100% FmHA operating loan in 1970 and added a land ownership loan in 1974. We were able to pay in full our operating loan in 1975 and our land loan in 1980.

6. **Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)**

No

7. **If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)**

I will retain my ownership in the above mentioned businesses, however, I will not receive any compensation from these businesses for the duration of my appointment.

8. **Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)**

Yes, upon completion of my tenure I would expect to return to some management capacity in the businesses previously stated.

9. **Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)**

No

10. **Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest to which you have been nominated.**

I am aware of no conflicts.

11. **Have you ever received a government guaranteed student loan? If so, has it been repaid?**

No.

12. **If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.**

I am taking the necessary steps relative to my businesses and organizational affiliations which I believe will eliminate any conflicts or appearances of a conflict of interest. Should a conflict of interest inadvertently arise, I will remove myself from the discussion and the decision making process until such conflict is resolved.

United States
**Office of Government Ethics**
Suite 500, 1201 New York Avenue, N.W.
Washington, D.C. 20005-3917

May 25, 1990

The Honorable Patrick J. Leahy
Chairman
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by James R. Moseley, who has been nominated by President Bush to serve as Assistant Secretary for Natural Resources and Environment in the Department of Agriculture.

We have reviewed the report and have obtained advice from the Department of Agriculture's ethics official concerning any possible conflict in light of the function of the Department and the nominee's proposed duties. As indicated in the enclosure to the ethics officer's letter to this Office dated May 15, 1990, Mr. Moseley has agreed to take a number of actions with respect to his farming interests in Indiana in order to avoid any actual or apparent violation of the conflict of interest laws.

Subject to these commitments, we believe that Mr. Moseley will be in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Donald E. Campbell

Donald E. Campbell
Acting Director

Enclosures

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

May 15, 1990

Donald E. Campbell, Esq.
Acting Director
Office of Government Ethics
Suite 500
1201 New York Avenue, N.W.
Washington, D.C. 20005

Dear Mr. Campbell:

Enclosed is a copy of the SF 278, Financial Disclosure Report, for James R. Moseley, nominee to serve as Assistant Secretary of Agriculture for Natural Resources and Environment, which I have signed as this Department's designated official under the Ethics in Government Act of 1978. Also enclosed is Mr. Moseley's letter to you of this date detailing the steps he has agreed to take in order to assure that no conflict of interest will exist between his personal financial interests and the duties he will perform if confirmed for this position.

Based upon the information disclosed in Mr. Moseley's Financial Disclosure Report, and upon the commitments made in his letter to you, I believe that his confirmation and appointment to serve as Assistant Secretary for Natural Resources and Environment will give rise to no conflict of interest under applicable laws and regulations.

Sincerely,

Larry B. Slagle

LARRY B. SLAGLE
Director of Personnel
and
Designated Agency Official

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

May 15, 1990

OFFICE OF
THE ADMINISTRATOR

Donald E. Campbell, Esq.
Acting Director
Office of Government Ethics
Suite 500
1201 New York Avenue, N.W.
Washington, D.C. 20005

Dear Mr. Campbell:

The purpose of this letter is to detail the steps which I intend to take in order to assure that no actual or apparent conflict of interest will arise between my personal financial interests and the duties I will perform if confirmed to serve as Assistant Secretary of Agriculture for Natural Resources and Environment.

I have served since April 1989, on a part time basis, as Agricultural Consultant to the Administrator of the Environmental Protection Agency. I have also been engaged for a number of years, and continue to be engaged, in a number of farming operations and ventures in the State of Indiana.

I serve as President, Director, and majority shareholder in Jim Moseley Farms, Inc., a subchapter S corporation. The corporation is not engaged directly in cropping operations, but holds title to approximately 5,000 hogs, as well as hog buildings and machinery. My farm managers are also shareholders in Jim Moseley Farms, Inc. I also serve as President and a Director of another corporation, the Moseley Land Company, which is owned jointly and in equal shares by myself and my wife. The latter corporation holds title to another set of hog buildings which are leased to Jim Moseley Farms, Inc., as well as approximately 429 acres of land in Tippecanoe County, Indiana, which is rented to another person on a cash lease basis.

I am also a general partner, with my farm manager, in Ag Ridge Farms, a farming partnership which operates approximately 1,800 acres leased from other landowners and located in Tippecanoe and Montgomery Counties, Indiana. The partnership produces corn and soybeans on these leased parcels. Finally, I serve as President and Director, and own eighty percent of the stock, of another corporation, Moseley Genetics Plus, which is engaged in the buying and selling of breeding stock.

Since I will have no responsibility as Assistant Secretary of Agriculture for Natural Resources and Environment, for the formulation, direction, or administration of USDA's farm price support programs, I plan to retain my interests in the above-described farming operations. I pledge, however, to resign from my offices and directorships in Jim Moseley Farms, Inc., the Moseley Land Company, and Moseley Genetics Plus, and to reduce my role in the operation of Ag Ridge Farms. Further, commencing with the 1991 crop year, Ag Ridge Farms will cease to be actively involved in farming operations, and will not be enrolled in USDA programs during my tenure as Assistant Secretary. While I, as a partner in Ag Ridge, will continue to own a leasehold interest in the 1,800 acres which it presently farms, that acreage will be subleased to an independent farming partnership on a cash rent basis during my service as an Assistant Secretary of Agriculture; I will have no financial or other involvement in that partnership, and will receive no profit or earnings during that period on the basis of such sublease arrangement.

I pledge as well to abstain from any active involvement in the management or operation of any of these enterprises, to avoid enrollment of any farm parcels in my name for USDA program participation and payment limitation purposes, and to receive no earned income from any of them, during my service as Assistant Secretary for Natural Resources and Environment.

I also pledge that none of the named entities or operations will apply for or receive any assistance from the USDA agencies which I will supervise as Assistant Secretary for Natural Resources and Environment, during my term in that office. Finally, I pledge that, should any matter arise within the Department during my tenure in that position, involving or affecting farming operations in Tippecanoe and Montgomery Counties, Indiana, where my farming interests are located, I will recuse myself from participation and involvement in any such matters.

I believe these steps will assure that no actual or apparent conflict of interest will arise between my personal financial interests and the duties I will perform if confirmed to serve as Assistant Secretary for Natural Resources and Environment.

Sincerely,

James R. Moseley

| Reporting Status (Check appropriate Box) | | Agency Only | OGE Use Only | Date of Appointment, Candidacy, Election or Nomination (Mo., Day, Yr.) | Termination Date (If Applicable) (Mo., Day, Year) |
|---|---|---|---|---|---|
| ☐ Incumbent | ☒ New Entrant, Nominee, or Candidate ☐ Termination Filer | | MAY 15 1990 | 5/9/90 | |

| | Last Name | First Name and Middle Initial |
|---|---|---|
| **Reporting Individual's Name** | Moseley | James R. |
| **Position for Which Filing** | Title of Position: Assistant Secretary | Department or Agency (If Applicable): USDA |
| **Location of Present Office** | Address (Number, Street, City, State and ZIP Code): EPA 401 M Street, SW Washington, DC 20460 | Telephone No. (Include Area Code): (202)382-7960 |
| **Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)** | Title of Position(s) and Date(s) Held: Agricultural Advisor to the Administrator/EPA | |
| **Presidential Nominees Subject to Senate Confirmation** | Name of Congressional Committee Considering Nomination: Agriculture | Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No |

| | | |
|---|---|---|
| **Certification** I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief. | Signature of Reporting Individual: James R. Moseley | Date (Month, Day, Year): 3/22/90 |
| **Other Review** (If desired by agency) | Signature of Other Reviewer: | Date (Month, Day, Year): |
| **Agency Ethics Official's Opinion** The information contained in this report discloses no conflict of interest under applicable laws and regulations. | Signature of Designated Agency Ethics Official/Reviewing Official: Larry R. Eagle | Date (Month, Day, Year): 5/15/90 |
| **Office of Government Ethics Use Only** | Signature: Donald E. Campbell | Date (Month, Day, Year): 5-25-90 |

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

(Check box if comments are continued on the reverse side) ☐

## Reporting Periods

**Incumbents:** Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

**Termination Filers:** Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

**Nominees, New Entrants and Candidates for President and Vice President:** Complete Schedules A (except for BLOCK D), C, and D. (Candidates do not file Part II of Schedule D.

- **Schedule A**—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I (Liabilities)**—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II (Agreements and Arrangements)**—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing



NSN 7540-01-476-8448 278-110

PREVIOUS EDITION USABLE

Reporting Individual's Name: Hoseley, James R.

# Assets and Income

Page Number: 2 | Schedule A

**All Filers:** In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

**All Filers:** In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

**All Filers:** In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

**Incumbents and Termination Filers only:** In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

| BLOCK A Assets & Income Sources | BLOCK B Valuation of Assets | | | | | | | | BLOCK C Income | | | | | | | | | | | | | | | | BLOCK D Transactions Test | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐ | Category of Value (X) | | | | | | | | Type of Income (X) | | | | | | | Other (Specify Type) | Category of Amount of Income (X) | | | | | | | | Actual Amount Only if "Other" Specified | Date (Mo., Day, Yr.) Only if Honoraria | If you, complete Sched. B Part I for these assets including those sold for a loss. | |
| | None (or less than $1001) | $1,001-$15,000 | $15,001-$50,000 | $50,001-$100,000 | $100,001-$250,000 | Over $250,000 | Dividends | Rent | Interest | Capital Gains | Excepted Trust | Qualified Trust | | None (or less than $101) | $101-$1,000 | $1,001-$2,500 | $2,501-$5,000 | $5,001-$15,000 | $15,001-$50,000 | $50,001-$100,000 | Over $100,000 | | | YES | NO |
| S or DC: Examples — X Y Z Common | | | | X | | | X | | | | | | | | | X | | | | | | | | | X | |
| Doe Jones & Smith, Hometown, USA | | | X | | | | | | | | | | Partnership Income | | | | | | | | | $50,000 | | | |
| 1 ASSETS<br>Jim Hoseley Farms, INC | | | | | | X | | | | | | | | | | | | | | | | | | | | |
| 2 Hoseley Land Corporation | | | | | | X | | | | | | | | | | | | | | | | | | | | |
| 3 Hoseley Genetics Plus, INC | | | | | X | | | | | | | | | | | | | | | | | | | | | |
| 4 AgRidge Farms | | | | | | X | | | | | | | | | | | | | | | | | | | | |
| 5 CHECKING ACCOUNTS--LAFAYETTE NATIONAL BANK<br>Personal | | X | | | | | | | X | | | | | X | | | | | | | | | | | | |
| 6 Jim Hoseley Farms, INC | | | | | | X | | | X | | | | | | | | | | X | | | | | | | |
| 7 Hoseley Land INC | | | | | X | | | | X | | | | | | | X | | | | | | | | | | |
| 8 Hoseley Genetics Plus, INC | | | | X | | | | | X | | | | | | | X | | | | | | | | | | |
| 9 AgRidge Farms | | | | | X | | | | X | | | | | | | X | | | | | | | | | | |
| 10 IRA--Jim (CD)* | | | X | | | | | | X | | | | | | X | | | | | | | | | | | |
| S IRA--Kathy (CD)* | | | X | | | | | | X | | | | | | X | | | | | | | | | | | |

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*Annuities or life insurance policies [illegible]

27

| Reporting Individual | Assets and Income | Page Number | Schedule A |
|---|---|---|---|
| Hoseley, James R. | | 3 | A |

**All Filers:** In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

**All Filers:** In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

**All Filers:** In BLOCK C report the type and amount of income exceeding $100 received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

**Incumbents and Termination Filers only:** In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

| BLOCK A Assets & Income Sources | BLOCK B Valuation of Assets | | | | | | | | BLOCK C Income | | | | | | | | | | | | | BLOCK D Transactions Test | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐ | Category of Value (X) | | | | | | | | Type of Income (X) | | | | | | | Category of Amount of Income (X) | | | | | | | | | | If yes, complete Sched. D Part I for those assets including those sold for a loss. | |
| | None (or less than $1001) | $1,001-$15,000 | $15,001-$50,000 | $50,001-$100,000 | $100,001-$250,000 | Over $250,000 | Dividends | Rent | Interest | Capital Gains | Excepted Trust | Qualified Trust | Other (Specify Type) | None (or less than $101) | $101-$1,000 | $1,001-$2,500 | $2,501-$5,000 | $5,001-$15,000 | $15,001-$50,000 | $50,001-$100,000 | Over $100,000 | Actual Amount Only if "Other" Specified | Date (Mo., Day, Yr.) Only if Honoraria | YES | NO |
| S or DC / Examples: X Y Z Common / Doe Jones & Smith, Hometown, USA | | X | X | | | | X | | | | | | | | | X | | | | | | -- / $50,000 | | X | |
| PERSONAL INCOME | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 Jim Hoseley Farms (Jim) | | | | | | | | | | | | | Salary | | | | | | | | | $8,280 | | | |
| 2 S Jim Hoseley Farms (Kathy) | | | | | | | | | | | | | Salary | | | | | | | | | | | | |
| 3 AgRidge Farms | | | | | | | | | | | | | Salary | | | | | | | | | $5,760 | | | |
| 4 American Feed Industry Association | | | | | | | | | | | | | Honoraria | | | | | | | | | $750.00 | 9/28/89 | | |
| 5 Farm Journal | | | | | | | | | | | | | Fee for Articles | | | | | | | | | $750.00 | | | |
| 6 Farmland Industries | | | | | | | | | | | | | Honoraria | | | | | | | | | $3,750 | 7/28/90<br>8/11/90<br>8/27/90 | | |
| BUSINESS INCOME | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 AgRidege Farms | | | | | | | | | | | | | Partnership Income | | | | | | | | | $18,523 | | | |
| 8 Jim Hoseley Farms | | | | | | | | | | | | | Sub S | | | | | | | | | $16,664 | | | |
| 9 Note receivable-Jeff DC Jim Hoseley Farms, Inc. | | | X | | | | | | X | | | | | | | X | | | | | | | | | |
| 10 Note Receivable-Jenn DC Jim Hoseley Farms, Inc. | | | X | | | | | | X | | | | | | | X | | | | | | | | | |

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Reporting Individual's Name

Hoseley, James*

## A[illegible] and Income

Page 4

**All Filers:** In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

**All Filers:** In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

**All Filers:** In BLOCK C report the type and amount of income exceeding $100 received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

**Incumbents and Termination Filers only:** In BLOCK D, for any real property, stocks, bonds, commodities [illegible] and other securities [illegible] purchase, sale or exchange, the item during the reporting period for a value that exceeds $1000?

| BLOCK A Assets & Income Sources | BLOCK B Valuation of Assets | BLOCK C Income | | | | | | | | | | | | | | | | | | | | | | | | BLOCK D Transactions Test | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐ | Category of Value (X) | | | | | | | | Type of Income (X) | | | | | | | Other (Specify Type) | Category of Amount of Income (X) | | | | | | | | Actual Amount Only if "Other" Specified | Date (Mo., Day, Yr.) Only if Honoraria | If yes, complete Schd. B Part I for those assets including those sold for a loss. | |
| | None (or less than $1001) | $1,001 - $15,000 | $15,001 - $50,000 | $50,001 - $100,000 | $100,001 - $250,000 | Over $250,000 | Dividends | Rent | Interest | Capital Gains | Exempted Trust | Qualified Trust | | None (or less than $101) | $101 - $1,000 | $1,001 - $2,500 | $2,501 - $5,000 | $5,001 - $15,000 | $15,001 - $50,000 | $50,001 - $100,000 | Over $100,000 | | | YES | NO |
| Exempt<br>DC X Y Z Common<br>One Jones & Smith, Hometown, USA | | | X | | X | | | X | | | | | | | | | X | | | | | | -- | | X | |
| 1 | | | X | | | | | | | | | | | partnership income | | | | | | | | | $50,000 | | | |
| 2 Note Receivable-Beth<br>DC Jim Hoseley Farms, Inc. | | | X | | | | | | | X | | | | | | X | | | | | | | | | | |
| 3 Note Receivable-Amt<br>DC Jim Hoseley Farms, Inc. | | | X | | | | | | | X | | | | | | X | | | | | | | | | | |
| 4 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | | | | | | | | | | | | | | | | | | | | | | | | | | |

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Reporting Individual's Name
Moseley, James R.

Page Number 5 | Schedule B

## Part I
## Transactions

**Incumbents and Termination Filers only:** Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

NONE ☐

| S or DC | Example | Identification of Assets | Type of Transaction (X) Purchase | Sale | Exchange | Date (Mo., Day, Yr.) | Amount of Transaction (X) $1,001-$15,000 | $15,001-$50,000 | $50,001-$100,000 | $100,001-$250,000 | Over $250,000 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Example: | X Y Z Common | X | | | 2/1/83 | | | X | | |
| 1 | | | | | | | | | | | |
| 2 | | | | | | | | | | | |
| 3 | | NOT APPLICABLE | | | | | | | | | |
| 4 | | | | | | | | | | | |
| 5 | | | | | | | | | | | |
| 6 | | | | | | | | | | | |

## Part II
## Gifts, Reimbursements and Travel Expenses

**Incumbents and Termination Filers only:**
Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling $250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given totally independent of their relationship to you. Exclude transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), exclude gifts from relatives and exclude gifts of $35 or less when aggregating them for the total from one source. See instructions for further exclusions.

NONE ☐

| S | Source (Name and Address) | Brief Description | Value |
|---|---|---|---|
| Examples | Nat'l Assn. of Rock Collectors, NY, NY | Airline ticket, hotel room & meals incident to national conference 6/15/83 | $900 |
| Examples | Nat'l Assn. of Rock Collectors, NY, NY | Leather briefcase for retiring president | $125 |
| 1 | | | |
| 2 | NOT APPLICABLE | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |
| 6 | | | |

U.S. Office of Personnel Management

Reporting Individual's Name: Moseley, James R.

Page Number 6

## Part I
## Liabilities

**All Filers:** Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to relatives. See instructions for revolving charge accounts.

NONE ☐

| S or DC | Creditor (Name and Address) | Type of Liability | Date Incurred | Interest Rate | Term if applicable | Category of Amount or Value (X) $10,001 to $15,000 | $15,001 to $50,000 | $50,001 to $100,000 | $100,001 to $250,000 | Over $250,000 |
|---|---|---|---|---|---|---|---|---|---|---|
| Examples | First District Bank, Washington, DC | Mortgage on rental property, Rehoboth Beach, Delaware | 1981 | 13% | 25 yrs. | | | | | |
| Examples | John Jones, 123 J St., Washington, DC | Promissory note | 1979 | 10% | on demand | X | | X | | |
| 1 | Farm Credit System | Mortgage on owned land | 1981 | var | 25 yr | | | | | X |
| 2 | Virginia Wright | Mortgage on owned land | 1985 | 6% | 10 yr | | | X | | |
| 3 | Farm Cardit System | Intermediate Loan-Buildings | 1984 | Paid | in full | 2/90 | X | | | |
| 4 | Farm Credit System | Intermediate Loan-Equipment | 1985 | Paid | in full | 2/90 | X | | | |
| 5 | Commodity Credit Corporation | Storage Loan-Farmer owned reserve | 1985 | 8 1/2% | 1 yr | | X | | | |
| 6 | | | | | | | | | | |

## Part II
## Agreements Or Arrangements

**All Filers:** Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

NONE [X]

| | Status and Terms of any Agreement or Arrangement | Parties | Date (Mo., Yr.) |
|---|---|---|---|
| Example: | Pursuant to partnership agreement, will receive capital account & partnership share calculated on service performed through 11/83 | Doe Jones & Smith, Home town, USA | 7/78 partnership agmnt. |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

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...ions of officer, director, trustee, general partner, pro- ... or any, non-profit organization or educational institution. ... NONE ☐

| Exemples: | Name of Organization (Name and Address) | Type of Organization | Position Held | From | To |
|---|---|---|---|---|---|
| | Nat'l Assn. of Rock Collectors, NY, NY | Non profit education | President | 9/3 | |
| | Doe Jones & Smith, Hometown, USA | Law firm | Partner | 7/75 | |
| | Farm Foundation | Non profit | Board Member | 6/85 | 6/90 |
| | Indiana Institute of Agriculture, Food, Nutrition | Non profit | Officer | 3/86 | 3/90 |
| | Jim Moseley Farms, Inc. | Business - [illegible] | President | 5/75 | Present |
| | Moseley Land Corporation | Business - [illegible] | President | 5/75 | Present |
| | Moseley Genetics Plus, Inc. | Business - [illegible] | President | 5/88 | Present |
| | Ag Ridge Farms | Cattle/[illegible] | General partner | | Present |

**Part II**
**Compensation In Excess Of $5000**
**Paid by One Source**

**Nominees and New Entrants only:** Report sources of such compensation received by you or your business affiliation for services directly provided by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership or other business enterprise, or any nonprofit organization, when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source. NONE ☒

| Exemples: | Source (Name and Address) | Brief Description of Duties |
|---|---|---|
| | Doe Jones & Smith, Hometown, USA | Legal services |
| | Metro University (client of Doe Jones & Smith) Hometown, USA | Legal services in connection with university construction |
| | | |
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278-109

FPM Chapter 735
U.S. Office of Personnel Management

Reporting Individual's Name
Moseley, James R.

Page Number 7

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

June 26, 1990

OFFICE OF
THE ADMINISTRATOR

Honorable Patrick J. Leahy
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On May 15, 1990, a copy of my SF 278, Financial Disclosure Report, required in connection with my nomination to serve as Assistant Secretary of Agriculture for Natural Resources and Environment, was submitted to the Office of Government Ethics. That report contained all required financial information for calendar year 1989 and for the current calendar year through March 22, 1990.

The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF 278, i.e., that required by section 202(a)(1)(A) of the Act, respecting income (other than dividends, interest, rents, and capital gains) and honoraria, to a date which occurs five days before the date of the hearing to be held by your Committee to consider my nomination. The hearing to be held on my nomination is presently scheduled for Wednesday, June 27, 1990. The purpose of this letter is to report that, as of June 22, 1990, I have received no income or honoraria in addition to those categories and amounts of income shown on my Financial Disclosure Report as dated and filed on March 22, 1990.

I trust that this letter satisfies the additional applicable reporting requirements contained in the Ethics in Government Act.

Sincerely,

James R. Moseley

James R. Moseley

**International Association of Fish and Wildlife Agencies**
*(Organized July 20, 1902)*
Hall of the States
444 North Capitol St. NW, Suite 534, Washington, DC 20001 (202) 624-7890
R. Max Peterson, Executive Vice President

July 2, 1990

The Honorable Patrick J. Leahy, Chairman
Senate Committee on Agriculture, Nutrition
and Forestry
SR-328A Russell Senate Office Building
Washington DC 20510

Dear Mr. Chairman:

This letter confirms discussions with your staff concerning the nomination of James Moseley to be Assistant Secretary of Agriculture for Natural Resources and Environment.

We have reviewed information available to us on Mr. Moseley and met with him. We have concluded that he is a conservation-minded individual with a record of soil and water stewardship on his own farm. He is committed to consulting with a wide variety of groups concerned with the management of natural resources.

In our view, Mr. Moseley is a reasonably well qualified individual to serve as Assistant Secretary of Agriculture for Natural Resources and Environment. We are pleased to support his nomination and look forward to working with him as he undertakes the very important responsibilities encompassed by his new assignment.

We would appreciate this letter being made a part of the record.

Sincerely,

R. Max Peterson
Executive Vice President

*Officers 1989-90*

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Box 10678, Reno, NV 89520

First Vice President-STEVEN A. LEWIS
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JAMES H. PATTERSON, Ottawa, ONT
LARRY J. WILSON, Des Moines, IA

The CHAIRMAN. I have nothing further, Mr. Moseley, and I appreciate your time in coming over here today. I, too, was very impressed with your answers to Senator Lugar's questions.

[Whereupon, at 9:55 a.m., the committee adjourned, subject to the call of the Chair.]

○